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(8/88)

United States District Court
for

SOUTHERN DISTRICT OF CALIFORNIA

FILED

07 NOV 29 AM 9:40

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

PDU

DEPUTY

U. S. A. vs. GOMEZ, RICARDO

BY:
Docket No. 07CR2902-WQH-002

Petition for Action on Conditions of Pretrial Release

Comes now Jennifer Hom Pretrial Services Officer presenting an official report upon the conduct of defendant GOMEZ, RICARDO who was placed under pretrial release supervision by the Honorable Leo S. Papas sitting in the court at San Diego, on the ninth day of October, 2007, under the following conditions:

Restrict travel to San Diego County; report for supervision to Pretrial Services Agency (PSA) as directed by the assigned Pretrial Services Officer and pay for the reasonable costs of supervision in an amount determined by PSA and approved by the Court; not possess or use any narcotic drug or other controlled substance as defined in 21 U.S.C. § 802, without a lawful medical prescription; not possess any firearm or other dangerous weapon or explosive device; Provide the court a current residence address and telephone number prior to release from custody and keep it current while the case is pending; submit to treatment, and/or testing, as specified by the Pretrial Services Officer for drug or alcohol abuse; actively seek and maintain full-time employment, schooling, or combination both; other conditions: The defendant is ordered to submit to drug testing twice with Pretrial Services; once when released from custody and once within 30 days of release. If either test is positive, then Pretrial Services is authorized to continue random drug testing of the defendant at reasonable times and places no more than 8 times per month or until further order of the court.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS FOLLOWS:

(If short insert here; if lengthy write on separate sheet and attach)

Condition violated: Submit to treatment and/or testing for drugs and/or alcohol abuse.

1. On November 14, 2007, the defendant submitted a urine sample which confirmed positive for amphetamine/ methamphetamine.

Grounds for violation: On November 14, 2007, the defendant reported to Pretrial Services and submitted a urine sample which confirmed positive for amphetamine/ methamphetamine. On November 19, 2007, Pretrial Services spoke with the defendant regarding the positive drug test. Mr. Gomez indicated he used methamphetamine on November 9, 2007. He further stated this was his first time and it would not happen again. Mr. Gomez indicated he did not need drug treatment at this time.

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PRAYING THAT THE COURT WILL ISSUE A NO BAIL BENCH WARRANT FOR THE DEFENDANT SO THAT HE MAY BE BROUGHT BEFORE THE COURT TO SHOW CAUSE WHY HIS BOND SHOULD NOT BE REVOKED.

ORDER OF COURT

Considered and ordered this 28th day of November, 2007, and ordered filed and made a part of the records in the above case.

U. S. Magistrate Judge Leo S. Papas

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 11/28/07

Respectfully,

Jennifer Horn, U.S. Pretrial Services Officer

Place San Diego, California

Date November 28, 2007